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NOTIFICATION.

No. L.D. 3106—Legis. 2-50-57, Bangalore, dated 15—18th January 1951.

Ordered that the accompanying State Railway Provident Fund (Temporary Provisions) Act, 1950 (LXXVI of 1950), published in the *Gazette of India*, Part II, Section 1, dated the 30th December 1950, be republished in the *Mysore Gazette*, for general information.

By Order of His Highness the Maharaja,

B. S. PUTTASWAMY,
Legal Remembrancer and
Secretary to Government,
Law Department.

Received Assent on 28th December 1950.

THE STATE RAILWAY PROVIDENT FUND (TEMPORARY PROVISIONS) ACT, 1950 (LXXVI OF 1950).

AN

ACT

to make temporary provisions for the payment of moneys in the State Railway Provident Fund to dependants of deceased displaced persons.

BE it enacted by Parliament as follows :—

1. Short title, extent and duration.—(*1*) This Act may be called the State Railway Provident Fund (Temporary Provisions) Act, 1950.

(*2*) It extends to the whole of India except the State of Jammu and Kashmir.

(*3*) It shall cease to have effect on the 31st day of December, 1952, save as espects things done or omitted to be done before that date.

2. Definitions.— In this Act, unless the context otherwise requires,—

(*a*) "Accounts Officer" means the Financial Adviser and Chief Accounts Officer of a railway administration and includes such other officer as may be appointed in this behalf by the Financial Commissioner, Railways ;

(*b*) "dependant" means any of the following relatives of a deceased subscriber to, or a depositor in, the State Railway Provident Fund who was a displaced person, namely :—

wife, husband, child and a deceased son's widow and child ;

(*c*) "displaced person" means a person employed under the North-Western railway administration or the Bengal and Assam railway administration before the 15th day of August, 1947, who, on account of the setting up of the Dominions of India and Pakistan or on account of civil disturbances or the fear of such disturbances in any area now forming part of Pakistan,—

(*i*) was displaced from, or left his place of residence in, such area after the 1st day of March, 1947, or

(*ii*) opted for employment in any area now forming part of India, or

(*iii*) did not opt for employment in any area now forming part of Pakistan ;

(*d*) "State Railway Provident Fund" means the Provident Fund as constituted under the State Railway Provident Fund Rules.

3. Application of the Provident Funds Act, 1925.—The provisions of this Act shall have effect notwithstanding any provisions inconsistent therewith contained in the Provident Funds Act, 1925 (XIX of 1925), but shall not be in derogation of any of the other provisions of that Act.

4. Repayment of State Railway Provident Fund moneys in certain cases.—(*1*) Where in the case of any deceased displaced person, the Accounts Officer is satisfied, after such inquiry as may be prescribed, that any nomination made by the deceased displaced person in respect of any sum standing to his credit in the State Railway Provident Fund has been lost or is not readily available and that the terms of that nomination cannot be proved otherwise, he shall pay the sum so standing to his credit to his dependants in equal shares :

Provided that no share shall be payable to—

(*a*) sons or sons of a deceased son who have attained majority,

(*b*) married daughters whose husbands are alive, and

(*c*) married daughters of a deceased son whose husbands are alive,

if there are any other dependants, and the share which a dependant would otherwise have taken if not disqualified under this proviso shall be divided among the other dependants in equal shares :

Provided further that the widow and the children of a deceased son shall take between them in equal parts the share which that son would have taken, if he had survived the subscriber and had not attained majority at the time of the subscriber's death.

(*2*) If there are no dependants, any such sum as is specified in sub-section (1) shall be payable,—

(*a*) if the sum does not exceed five thousand rupees, to any person appearing to the Accounts Officer, after such inquiry as may be prescribed, to be entitled to receive it;

(*b*) if the sum exceeds five thousand rupees, to any person on production by such person of probate or letters of administration or succession certificate entitling him to receive payment of such sum.

5. Discharge on payment.—The making of a payment authorised by the provisions of this Act shall be a full discharge to the Central Government and to the railway administration concerned from all liability in respect of the sum so paid :

Provided that nothing contained in this Act shall prevent any person claiming under a nomination or declaration made by a deceased displaced person from establishing in a court the right which he claims and following the money into the hands of the persons who have received payment thereof under the provisions of this Act.

6. Penalty for false statements.—Any person who for the purpose of obtaining any payment under the provisions of this Act, makes a declaration or statement which is false or which he either knows or has reason to believe to be false or does not believe to be true shall be punishable with imprisonment for a term which may extend to three years, or with fine, or with both.

7. Bar of jurisdiction.—No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done under the provisions of this Act.

8. Power to make rules.—The Central Government may make rules to carry out the purposes of this Act, and, in particular, for—

(*i*) regulating the manner in which any inquiry may be made by the Accounts Officer;

(*ii*) requiring security to be furnished by any person before payment of any sum is made to him under the provisions of this Act.

NOTIFICATION.

No. L.D. 3107—Legis. 2-50-56, Bangalore, dated the 15–18th January 1951.

Ordered that the accompanying Telegraph Wires (Unlawful Possession) Act, 1950 (LXXIV of 1950), published in the *Gazette of India*, Part II, Section 1, dated the 30th December 1950, be republished in the *Mysore Gazette*, for general information.

By Order of His Highness the Maharaja,

B. S. PUTTASWAMY,
Legal Remembrancer and Secretary to Government, Law Department.

GOVERNMENT OF INDIA.

MINISTRY OF LAW.

Received Assent on 28th December 1950.

THE TELEGRAPH WIRES (UNLAWFUL POSSESSION) ACT, 1950, (LXXIV OF 1950).

AN

ACT

to regulate the possession of telegraph wires and to provide for the punishment of the offence of unlawful possession thereof.

BE it enacted by Parliament as follows :—

1. **Short title, extent and commencement.**—(*1*) This Act may be called the Telegraph Wires (Unlawful Possession) Act, 1950.

(*2*) It extends to the whole of India.

(*3*) It shall come into force in any State on such date as the Central Government may, by notification in the Official Gazette, appoint for such State, and different dates may be appointed for different States.